

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT CHARLES SCOTT,

Defendant.

CR 17-134-BLG-DLC

ORDER


United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendation in this matter on January 25, 2018. After an objection filed by the Defendant was withdrawn on February 20, 2018 (Doc. 27), ultimately neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge Cavan recommended this Court accept Robert Charles Scott's guilty plea after Scott appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to the charge of felon in possession of a firearm in violation of 18 U.S.C. § 922(g)(1) as set forth in Count I of the Indictment.

I find no clear error in Judge Cavan's Findings and Recommendation (Doc. 22), and I adopt them in full.

Accordingly, IT IS ORDERED that Robert Charles Scott's motion to change plea (Doc. 16) is GRANTED and Robert Charles Scott is adjudged guilty as charged in Count I of the Indictment.

DATED this 20<sup>th</sup> day of February, 2018.

  
Dana L. Christensen, Chief District Judge  
United States District Court